

BEFORE THE  
ILLINOIS COMMERCE COMMISSION

TC MARKETING CORP. ) DOCKET NO.  
d/b/a TC Marketing Corp. of Delaware) 05-0255  
Application for a Certificate of )  
Interexchange Authority to Operate )  
as a Reseller of Telecommunications )  
Services with the State of Illinois.)

Springfield, Illinois  
June 1, 2005

Met, pursuant to notice, at 10:00 A.M.

BEFORE:

MR. STEPHEN YODER, Administrative Law Judge

APPEARANCES:

MR. PATRICK DAVID CROCKER  
Attorney at Law  
151 South Rose Street, Suite 900  
Kalamazoo, Michigan 49007

(Appearing on behalf of Applicant via  
teleconference)

SULLIVAN REPORTING COMPANY, by  
Carla J. Boehl, Reporter  
Ln. #084-002710

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I N D E X

<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
CHRISTOPHER RICCA				
By Mr. Crocker	5			
By Judge Yoder		9		

I N D E X

<u>EXHIBITS</u>	<u>MARKED</u>	<u>ADMITTED</u>
None .		

PROCEEDINGS

JUDGE YODER: By the authority vested in me by the Illinois Commerce Commission, I will now call Docket Number 05-0255 captioned TC Marketing Corp., d/b/a TC Marketing Corp. of Delaware. This is an application for a Certificate of Interexchange authority to operate as a reseller of telecommunications services within the state of Illinois.

Can I have any appearances for the record, please?

MR. CROCKER: Yes, Patrick David Crocker, C-R-O-C-K-E-R, address 151 South Rose Street, Suite 900, and that's Kalamazoo, K-A-L-A-M-A-Z-O-O, Michigan 49007, appearing on behalf of the Applicant today with Mr. Christopher Ricca providing testimony in support of the technical, managerial, financial ability of the company to provide service.

JUDGE YODER: Mr. Crocker, I assume you are not licensed in Illinois, is that correct?

MR. CROCKER: Yes, Your Honor, and I would ask that I be moved pro hoc vice to appear on behalf of

1 the Applicant today.

2 JUDGE YODER: How long have you practiced in  
3 Michigan?

4 MR. CROCKER: Fifteen years, Your Honor.

5 JUDGE YODER: That's fine. You will be  
6 admitted for the purpose of this hearing.

7 Do you have any witnesses to call then?

8 MR. CROCKER: Yes, Christopher Ricca, Your  
9 Honor.

10 JUDGE YODER: Okay. Mr. Ricca, would you  
11 please raise your right hand?

12 MR. RICCA: Yes, sir.

13 (Whereupon the Witness  
14 was duly sworn by Judge  
15 Yoder.)

16 JUDGE YODER: All right. You may proceed,  
17 Mr. Crocker.

18 MR. CROCKER: Thank you, Your Honor.

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CHRISTOPHER RICCA

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called as a Witness on behalf of Applicant, having

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been first duly sworn, was examined and testified as

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follows:

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DIRECT EXAMINATION

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BY MR. CROCKER:

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Q. Mr. Ricca, would you please state your name

9

and business address for the record.

10

A. It is Christopher Ricca, TC Marketing,

11

business address 2958 Route 35 South, Hazlet,

12

H-A-Z-L-E-T, New Jersey 07730.

13

Q. Okay. And what is your occupation?

14

A. I am the COO and President of the company.

15

Q. Great. And is the purpose of your

16

testimony today to describe the nature of the

17

company business and to demonstrate the company's

18

financial, managerial and technical ability to

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provide the service contemplated by this

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application?

21

A. Yes, it is.

22

Q. Great. Could you please briefly describe

1 the nature of the telecommunications services that  
2 you intend to offer the residents of the state of  
3 Illinois?

4 A. The company intends to offer a full range  
5 of one plus services, interexchange  
6 telecommunications services, on a state-wide basis  
7 focusing on MTS and WATT services.

8 Q. Great. And what state is your company  
9 incorporated?

10 A. The company was organized under the laws of  
11 the state of Delaware.

12 Q. And is there a copy of the Articles of  
13 Incorporation attached to the application?

14 A. Yes, it is.

15 Q. Could you please briefly describe your  
16 background in business and telecommunication?

17 A. A brief background is I have over 17 years  
18 in the telecommunications field including co-founder  
19 of Telecommunications solutions and Enhanced  
20 Communications Network as well TC Marketing. I was  
21 a communications network analyst for AT&T, and for  
22 the last ten years I have served the title of Vice

1 President of Operations, Chief Operating Officer and  
2 President of telecommunications companies.

3 Q. Great. Could you identify current  
4 management of your company, like a management team  
5 if you have one, and include their responsibilities?

6 A. Yes, I do have a management team. There  
7 are three of us on the management team. I would be  
8 one of them. My second is Marcelino (sp) Cruz,  
9 that's C-R-U-Z. He is the director of MIS. He is  
10 responsible for all data integrity, engineering and  
11 all information systems, and Marcelino has over ten  
12 years of telecommunications and management  
13 experience.

14 The third is Manitia (sp) Sonni, S-O-N-N-I.  
15 She is the senior account manager responsible for  
16 all customer relations, customer contracts and  
17 overall network integrity, and she has over three  
18 years of management in telecommunications services.

19 Q. Great. Does the company intend to offer  
20 operator services within Illinois?

21 A. No, we do not intend to offer operator  
22 services. If we were to offer operator services, we

1       would comply with the Commission's rules concerning  
2       the operator services.

3           Q.   Okay.  Will the company provide service to  
4       customers in Illinois consistent with the terms,  
5       rates and conditions set forth in the company's  
6       approved tariff?

7           A.   Yes, that is correct.

8           Q.   Has the company's financial circumstances  
9       adversely changed since we filed this application?

10          A.   No, it has not.

11          Q.   And what verification method will you  
12       utilize when verifying orders to change long  
13       distance service?

14          A.   We will follow the FCC procedures.  It  
15       allows letters of authorization as well as  
16       third-party verification systems.

17          Q.   And would it be true that you follow  
18       Illinois verification rules if they were to have  
19       any?

20          A.   Yes, we would.

21          Q.   And what is the company's procedure for  
22       handling consumer complaints?



1           A.   The procedure is customers can reach the  
2           customer service department with a toll free number  
3           which is (866) 482-6275.  If their complaint is not  
4           resolved within the customer's satisfaction within  
5           the company, they may go to the Illinois Commerce  
6           Commission.  The number is a 24 by 7 customer  
7           service number.  Our representatives will gather the  
8           information of the customer's complaint and we will  
9           have a goal of responding within a timely manner.

10           MR. CROCKER:  Great.  Your Honor, I have no  
11           further questions.

12           JUDGE YODER:  Okay.  I have just a few.

13                               EXAMINATION

14           BY JUDGE YODER:

15           Q.  Mr. Ricca, TC Marketing Corp. has received  
16           authority from the Secretary of State to transact  
17           business in the state of Illinois, is that correct?

18           A.  That is correct.

19           Q.  And a copy of your authorization was  
20           attached to your application?

21           A.  Yes.

22           Q.  How long has TC Marketing Corp. been in

1           existence, if I missed that before?

2           A.   TC Marketing was incorporated December of  
3           '04.

4           Q.   Okay.  And is TC Marketing Corp. presently  
5           certificated in any other states?

6           A.   Yes, we have certificates of authority in  
7           New Jersey, Illinois, New York and Arizona,  
8           providing resale services in New Jersey.

9           Q.   Do you have applications pending in any  
10          other states besides Illinois?

11          A.   Arizona and New York.

12          Q.   Okay.  So you have received your  
13          certificate in New Jersey and the other three are  
14          pending, is that correct?

15          A.   That is correct.

16          Q.   Approximately how many employees does TC  
17          Marketing have at the present time?

18          A.   Four.

19          Q.   Has your Certificate of Service Authority  
20          ever been suspended or revoked in New Jersey?

21          A.   No, it has not.

22          Q.   You are -- you indicated your customer

1 service number is a 24-hour 7-day a week service, is  
2 that correct?

3 A. That is correct.

4 Q. If there are repair services needed by your  
5 customers, will those be provided by you or by the  
6 underlying carrier?

7 A. If repair is needed?

8 Q. Yes.

9 A. We will be the first line for all repairs.

10 Q. You provided a balance sheet and income  
11 statement for, I believe, the first quarter of this  
12 year, is that correct?

13 A. That is correct.

14 Q. All right. You are requesting a waiver of  
15 the requirement that you keep your books and records  
16 in the state of Illinois?

17 A. Yes.

18 Q. Where are those books and records kept at  
19 the present time?

20 A. In the state of New Jersey.

21 Q. At the --

22 A. Office headquarters.

1 Q. The address?

2 A. The address is 2958 Route 35 South, Hazlet,  
3 New Jersey.

4 Q. And if granted permission to keep the books  
5 outside the state, you would comply with any  
6 requirements of the Illinois Commerce Commission in  
7 the future about any audits of those books as  
8 required?

9 A. Yes, we would.

10 Q. You are also, I believe, requesting a  
11 waiver of the manner in which those books are kept,  
12 is that correct?

13 A. In what regards? I am sorry.

14 Q. Well, Section 710, Uniform System of  
15 Accounts in our Code, most parties request a waiver  
16 of the requirement to keep them in compliance with  
17 710 and keep them in compliance with generally  
18 accepted accounting principles. I believe you are  
19 requesting --

20 A. That is correct, Your Honor.

21 Q. Okay. And the manner in which your books  
22 are kept will allow you to segregate income from

1 various other states so you can comply with any  
2 reporting requirement for the state of Illinois?

3 A. Yes, that is correct.

4 Q. And being a resold interexchange you will  
5 not have -- you are requesting a directory waiver,  
6 obviously?

7 A. Yes.

8 Q. And the name you are requesting on your  
9 Certificate of Service Authority is as indicated on  
10 your application, TC Marketing Corp. d/b/a TC  
11 Marketing Corp. of Delaware?

12 A. That is correct.

13 JUDGE YODER: I don't believe I have any other  
14 questions, Mr. Ricca. Do you have anything based on  
15 my questioning?

16 MR. RICCA: I do not.

17 JUDGE YODER: Do you have any other evidence to  
18 present in support of the application?

19 MR. CROCKER: No, Your Honor, I think that's  
20 everything.

21 JUDGE YODER: Then I will mark this record  
22 heard and taken. And thank you, gentlemen, both for

the hearing today.

HEARD AND TAKEN